

**To:** Pierard, Kevin[pierard.kevin@epa.gov]  
**Cc:** Pellegrini, Janet[pellegrini.janet@epa.gov]  
**From:** Smith, Brooks M.  
**Sent:** Mon 3/10/2014 5:26:03 PM  
**Subject:** RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Yes, I'll be here in my office if you want to call me directly. Or please send me a dial-in number if you have other folks calling in from other places. Thanks, Brooks

Brooks M. Smith | Troutman Sanders LLP | 804-697-1414 (work) | 804-836-7331 (cell) |  
 brooks.smith@troutmansanders.com | 1001 Haxall Point, Richmond, VA 23218

-----Original Message-----

From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]  
 Sent: Monday, March 10, 2014 12:46 PM  
 To: Smith, Brooks M.  
 Cc: Pellegrini, Janet  
 Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Brooks - we have 11:00 to 11:30 central time Wednesday open for a call on the 308. Does that work for you?

-----Original Message-----

From: Smith, Brooks M. [mailto:Brooks.Smith@troutmansanders.com]  
 Sent: Friday, March 07, 2014 3:57 PM  
 To: Pierard, Kevin  
 Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

I will see what I can find out on the state front. As for the 308, we did provide an initial batch of information following our discussions at the end of the year, with the expectation that we would meet to discuss the need for any additional production after EPA had a chance to review the initial submittal. We stand ready to meet if needed. Just let me know. Best, Brooks

-----Original Message-----

From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]  
 Sent: Friday, March 07, 2014 4:52 PM  
 To: Smith, Brooks M.  
 Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Brooks - we understand that at some point the OEPA will be providing another revision to the permit for review. We expected this several weeks ago but have not seen anything yet. Our last conversation on this was in January. As to the 308 request, I believe there has been sufficient time for AEC to gather this information, but as yet we have not received the information. I believe that most, if not all, of the information should be readily available to AEC.

-----Original Message-----

From: Smith, Brooks M. [mailto:Brooks.Smith@troutmansanders.com]  
 Sent: Friday, March 07, 2014 3:32 PM  
 To: Pierard, Kevin  
 Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Hi Kevin, my sense is that the agencies are making progress on the permit but I did not want to appear inattentive to EPA's underlying request so I thought it best to check in for an update. I hope all is well with

you. Best, Brooks

-----Original Message-----

From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]

Sent: Monday, January 06, 2014 11:15 AM

To: Smith, Brooks M.

Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Brooks - OEPA made a commitment to redraft the permit in an effort to address concerns raised by EPA. OEPA provided a new version of the permit on Friday and this permit is under review. Finalizing the specific objection based on the previous permit is no longer necessary. We are reviewing this new proposed permit and will work closely with OEPA in the coming days.

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From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]

Sent: Sunday, January 05, 2014 6:07 PM

To: Pierard, Kevin

Subject: Re: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Hi Kevin, did the specific objection letter go out? May I please get a copy? Thanks, Brooks

On Dec 30, 2013, at 11:08 AM, "Pierard, Kevin" <pierard.kevin@epa.gov> wrote:

> The specific objection has not gone out as yet. It will go out this  
> week. On the 308, we will discuss this next week and schedule a call  
> if necessary. thanks  
> From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]  
> Sent: Monday, December 30, 2013 9:37 AM  
> To: Pierard, Kevin  
> Subject: RE: American Energy Corporation Century Mine Bennoc Refuse  
> Disposal Area  
>  
> Hi Kevin, I hope you've had a nice holiday. Would you please let me  
> know the status of EPA's specific objection letter? Based on the call  
> with EPA and Ohio EPA, I got the sense that it would come out sooner  
> than January 5. But to my knowledge, it has not yet been circulated.  
> Also, with respect to the 308 request, please let me know what times  
> work best for a call and we can try to get this scheduled for early in  
> the new year. Thanks very much. Brooks  
>

> -----Original Message-----

> From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]

> Sent: Monday, December 23, 2013 5:01 PM

> To: Smith, Brooks M.

> Cc: 'paul.novak@epa.state.oh.us'

> Subject: RE: American Energy Corporation Century Mine Bennoc Refuse

> Disposal Area  
>

> Thanks Brooks  
>

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> From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]

> Sent: Monday, December 23, 2013 3:27 PM

> To: Pierard, Kevin

> Cc: 'paul.novak@epa.state.oh.us'

> Subject: American Energy Corporation Century Mine Bennoc Refuse  
> Disposal Area

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> As a follow-up to my letter dated December 10, I offer American Energy  
> Corporation's initial response to EPA's information request. I will  
> await your call to discuss the need for any further response. Thanks,  
> Brooks

>

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> Brooks M. Smith | Troutman Sanders LLP | 804-697-1414 (work) |  
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> 401 9th Street, NW, Suite 1000, Washington, DC 20004 | 1001 Haxall  
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